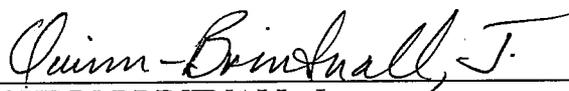


ANALYSIS

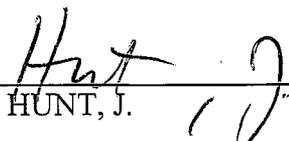
Roberts argues, and the State concedes, that the superior court did not comply with CrR 6.1(d), which provides, "In a case tried without a jury, the court shall enter findings of fact and conclusions of law." The proper remedy is to vacate the judgment and sentence and remand to the trial court for entry of the required findings of fact and conclusions of law.² *State v. Head*, 136 Wn.2d 619, 624, 964 P.2d 1187 (1998); *State v. Denison*, 78 Wn. App. 566, 572, 897 P.2d 437, review denied, 128 Wn.2d 1006 (1995).

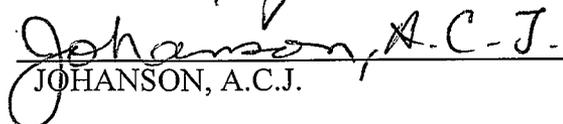
Because the State concedes and the parties agree on the remedy, we vacate the judgment and sentence and remand this case for entry of written findings of fact and conclusions of law. CrR 6.1(d). The superior court shall then enter judgment based on the written findings and conclusions "from which either party may appeal as in the usual course of things." *Head*, 136 Wn.2d at 626.

A majority of the panel having determined that this opinion will not be printed in the Washington Appellate Reports, but will be filed for public record in accordance with RCW 2.06.040, it is so ordered.


QUINN-BRINTNALL, J.

We concur:


HUNT, J.


JOHANSON, A.C.J.

² But see *State v. Denison*, 78 Wn. App. 566, 571-72, 897 P.2d 437, review denied, 128 Wn.2d 1006 (1995) (suggesting that the preferred procedure would be for the "prosecutor to seek in this court an order requiring the trial judge" to comply with CrR 6.1(d)).